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Amend a
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PATENT
Docket No.: 21829/91 (EBC-007)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Wei et al.)
Serial No. : 09/880,371)
Cnfrm. No. : 4973)
Filed : June 13, 2001)
For : METHODS OF IMPROVING THE)
EFFECTIVENESS OF TRANSGENIC PLANTS))

Examiner:
A. Kubelik

Art Unit:
1638

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AMENDMENT

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

In response to the office action dated November 7, 2002, please amend the above-identified application as set forth below.

In the Claims:

Please cancel claims 1-2, 12, and 22-74 without prejudice and add new claims 75 and 76 as follows:

75. (New) A method of maximizing the benefit of a value added trait of a transgenic plant or the plant grown from a transgenic plant seed comprising:
providing a plant or plant seed comprising a transgene that confers a value added transgenic trait to the plant or a plant grown from the plant seed but does not encode a hypersensitive response elicitor protein or polypeptide, and
applying to the plant or plant seed a hypersensitive response elicitor protein or polypeptide under conditions effective to maximize the benefit of the value added trait of the transgenic plant or the plant grown from the transgenic plant seed in comparison to the transgenic plant or the plant grown from the transgenic plant seed to which no hypersensitive response elicitor protein or polypeptide was applied.